

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

JARRATT A. TURNER

Case No.

15-mj-1043

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 25, 2015 in the county of Davidson in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

18 U.S.C. 2252A(a)(2)(A)

Offense Description

Distribution of Child Pornography

This criminal complaint is based on these facts:

See Attached.

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Jonathan Hendrix, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date:

June 5, 2015

City and state:

Nashville, Tennessee


Judge's signature

Juliet Griffin, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF JOHNATHAN A. HENDRIX
HOMELAND SECURITY INVESTIGATIONS

I, Jonathan Hendrix, being first duly sworn, do depose and state:

1. I am a Special Agent (SA) of the Homeland Security Investigations (HSI), which was formerly a component of Immigration and Customs Enforcement, and I am assigned to the Office of the Resident Agent in Charge, Nashville, Tennessee. HSI is responsible for enforcing federal criminal statutes involving the sexual exploitation of children under Title 18, United States Code, Section 2251, et seq. I have been employed as a Special Agent of the U.S. Immigration and Customs Enforcement since 2002. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the United States Customs Service Basic Enforcement School, where I received training in the investigation of online child exploitation crimes. During the course of my duties I have been the investigating officer and affiant of applications for search warrants relating to federal child pornography investigations.
2. The affidavit is submitted in support of a Criminal Complaint for the arrest of **JARRATT TURNER**, for the following offense: on or about May 25, 2015, in the Middle District of Tennessee, **JARRATT TURNER**, did distribute child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(2)(A).
3. The following information contained in this affidavit is based on my training and experience, my personal participation in this investigation and, information provided to me by other law enforcement officials. Unless otherwise indicated, where I have referred to written or oral statements, I have summarized them in substance and in part, rather than verbatim. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of **JARRATT TURNER**.
4. In or about May 2015, HSI received information from the Queensland Police Service (QPS) in Australia that a potential contact offender using the email address nijasdad@inbox.com had emailed two (2) images of child pornography to an undercover QPS investigator. This information was forwarded to the HSI office in Nashville, Tennessee for further investigation.
5. The information showed that "nijasdad@inbox.com" and the undercover QPS investigator communicated by email three times on or about May 25, 2015, over the course of several hours, with "nijasdad@inbox.com" using the same IP address. During that time, "nijasdad@inbox.com" sent two images of a nude female toddler. The first image depicted the nude female toddler on a changing table touching her genitalia. The focus of the image was on the child's genitalia. The second image depicted an adult's hand touching the same child's genitalia, again with the image focused on the genitalia. In the second image, the child appeared to be wearing only a white shirt, which was

pulled towards her neck. Within the same email exchange, the “nijasdad@inbox.com” alluded to contact abuse of his 2-½ year old daughter stating, “No, she is two and a half, my penis would hurt her. Other smaller things have gone there though. Yes I have pics of [Adam]. I like boys and girls age 2-10.”

6. The email address “nijasdad@inbox.com” is linked to a profile on a photo sharing website, hereinafter known as “Website A.” The user NIJASDAD created the account on “Website A” on April 15, 2015, and posted two albums: “My little [Adam] boy” with 16 images and “My little girl Nija” with 25 images. NIJASDAD listed the following information in the “user info” section: “I loooooove little ones. I love my little ones the most and hope you love them too.” In the album descriptions, NIJASDAD stated as follows:

These are some pictures I took of my nephew [Adam]. We have loads of fun when I get to hang out with him. These photos are my own work so please enjoy but don't repost. If you like his name, you know the password.

and

I love this little girl more than anything. These photos are my own personal work so please don't repost them. If you like her name you know the password.

7. In an album labeled “My little girl Nija,” there are several non-nude images of the same child posted, but the album also contains images of the child partially nude, some of which include her exposed genitalia. Some of the images appear to have been taken in the same location: in a bathroom on the kind of changing table that is typically found in public restrooms meant for changing children’s diapers. The female toddler is seen in different clothing on the same changing table, and metadata associated with those images shows that they were taken on two different dates: April 13, 2015, and April 20, 2015. This appears to be the same changing table seen in one of the two images sent to the undercover QPS investigator mentioned above. Another image in the album is of the female toddler sleeping on a blue striped bed spread; and she is wearing a white top, with no bottoms. This image appears to have been taken in the same location and at the same time as the second image described above that was sent to the undercover QPS investigator.
8. The images posted to the image-hosting site were in “full” size. Metadata from these images indicate they were taken between on or about October 11, 2014, and on or about May 23, 2015, using a Samsung G900P mobile phone and then more recently using a Samsung G920P mobile phone. The images sent by “nijasdad@inbox.com” to the undercover QPS investigator were dated within this time period: April 20, 2015 (Samsung G900P) and May 21, 2015 (Samsung G920P).



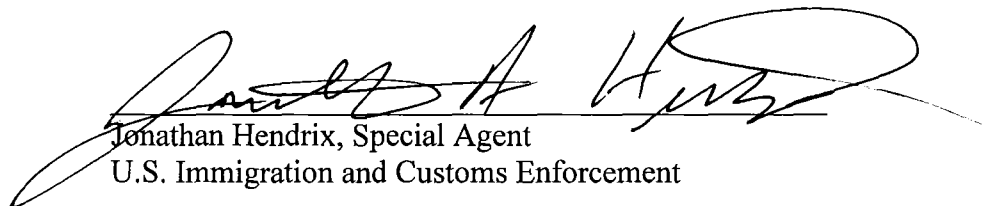
9. The email header data in the emails sent by "nijasdad@inbox.com" to the undercover QPS investigator listed an originating IP that is owned by Comcast Cable. Further investigation revealed that at the time the emails were sent on or about May 25, 2015, the IP address was assigned to Sips Café, which is owned by Mike's Ice Cream and is located at 3939 Gallatin Pike, Nashville, Tennessee.
10. Given the foregoing information and activity with QSP and "Website A," I sought a search warrant for the email account "nijasdad@inbox.com," on June 3, 2015, from Judge Juliet Griffin, case # 15-MJ-1036. I executed the search warrant on the same day.
11. In response to the search warrant, Xacti / inbox.com provided me access to a "mirror copy" of the email account nijasdad@inbox.com on June 3, 2015. On June 4, 2015, I downloaded a copy of this email account to a computer in my office so that I could examine the contents of the account. The account was created on April 14, 2015, and was registered to "Jared Miller." I reviewed many of the emails sent and received by "nijasdad@inbox.com." I found additional child pornography of both children identified as "Nija" and "Adam."
12. One of the emails was sent by "Jared Miller nijasdad@inbox.com" on May 26, 2015, at approximately 6:18 PM, to "Sammy Sams <tradinggoodstuff@mail.ru>." Attached to the email was a video file entitled "sleepcum20150521_184251.mp4." This video is 51 seconds in length. The video depicted a male subject masturbating above a young female approximately 2 to 3 years of age. The little girl was lying on her back with only a shirt on, which was pulled up to her chest. Her legs were spread open. During the course of the act of masturbation, the male penetrated the genital area of this little girl with his penis approximately three times. The adult male then ejaculated on the little girl's from her abdominal area to down near her genital area. The camera then proceeded to show the face of the little girl, who appeared to be asleep, before the video recording ended.
13. Xacti / inbox.com also provided me with a list of 4 different IP addresses that had been used by the account holder when accessing the email account from April 14, 2015, through May 28, 2015. Through further investigation, I have been able to determine where two of the IP addresses are located. One of the IP addresses was the same as the one found in an email header prior to obtaining the search warrant, which IP address was being utilized by Sips Café, as described above. That IP address located at Sips Café was utilized by the account holder of the email account "nijasdad@inbox.com" on the following dates: April 14, 15, 16, 17, 18, 19, 20, 21, 25, 26 and May 22, 25, 26, 27, 28, 2015.
14. On June 5, 2015, two agents with HSI spoke with several employees of Sip Café located at 3939 Gallatin Pike, Nashville, TN 37206, in an effort to identify the two victims of child molestation. One of the agents showed photographs of two victims to the manager, a shift leader, and an employee. The manager did not recognize the children in the photo but the employees stated they recognized the girl in one of the pictures, although they could not remember a name or anyone who was associated with her.



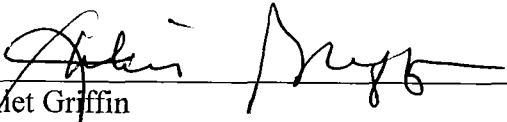
15. While at Sip Café, one of the agents provided the manager with a list of dates and times that the account “nijasdad@inbox.com” had used the IP address of Sip Café. The agent explained to the manager that the dates and times were associated with an individual who might be involved in the molestation of the two children and corresponded to the dates and times he was believed to have logged into their open Wi-Fi at the business. Some of the times were after normal business hours, but it is possible that the individual was using the Wi-Fi while sitting in the parking lot. The agent explained that they would be requesting information about the sales transactions around and during the dates and times as part of the investigation in an attempt to identify the suspect. The agent provided the name of Jared Miller to the employees and stated that it was a possible identity of the suspect. The agent also provided information about a vehicle that might be associated with the investigation: a truck with a white ladder rack and ladder. The vehicle appeared in one of the pictures that included the girl and that was on “Website A” associated with the account of “nijasdad@inbox.com.” The agent left his contact information in case the employees needed to contact him.
16. Later in the day on June 5, 2015, the manager of Sip Café contacted an HSI agent and stated that while researching the sales transaction data for the dates and times provided earlier by an HSI agent, he had found sales transactions for someone identified as **JARRATT TURNER** on several dates and times provided by HSI. The manager further stated that he conducted a Google search of the name and discovered a Facebook page for **JARRATT TURNER**. Based on the pictures associated with the Facebook page of **JARRATT TURNER**, in conjunction with the times of the credit card transaction, the manager believed he had discovered the suspect’s identity.
17. Two HSI agents went back to Sip Café to obtain the information discovered by the manager. The following information was obtained by HSI: after seeing the picture on Facebook of **JARRATT TURNER**, one of the employees recognized **JARRATT TURNER** as a regular customer who she would speak to when he would order. The employee stated that **JARRATT TURNER** would sit inside the coffee shop for long periods of time but she did not know what he would do while there. The manager further stated that would order the same thing, coffee and two scoops of ice cream, most of the time.
18. The HSI agent took photographs of the transaction data provided by the manager. The following are examples of the information and how it corresponded with the Wi-Fi log in information:
 - On April 15, 2015, at 10:26 a.m., **JARRATT TURNER** purchased a 20oz coffee for \$6.68 on a Visa with the last four digits 1257. The W-Fi was accessed via the suspect account at 10:33 a.m.
 - On April 16, 2015, at 2:56 p.m., **JARRATT TURNER** purchased a 20oz coffee and double scoop ice cream for \$8.92 on a Visa with the last four digits 1257. The Wi-Fi was accessed via the suspect account at 3:09 p.m.



- On April 16, 2015, at 6:31 p.m. **JARRATT TURNER** purchased a 20oz coffee for \$4.22 on a Visa with the last four digits 1257. The Wi-Fi was accessed via the suspect account at 6:36 p.m.
 - On April 19, 2015, at 4:37 p.m. **JARRATT TURNER** purchased a 20oz coffee and double scoop ice cream for \$9.92 on a Visa with the last four digits 1257. The Wi-Fi was accessed via the suspect account at 4:42 p.m.
19. The manager showed the HSI agent how he found **JARRATT TURNER**'s Facebook page and pictures of the female victim, which were in the "My Pics" section several rows down the page. One of the pictures had the name of an adult female (hereinafter "Female 1") associated with it. Female 1's Facebook page contained additional photos of the minor female victim, whose picture had previously been shown to the employees. Female 1 is a Facebook "friend" with **JARRATT TURNER**.
20. One of the agents spoke with another employee who recalled seeing a white truck with a ladder rack and ladder sitting in the parking lot of the business after hours several times. He did not remember the dates but stated that it had been approximately two weeks since the last time he had seen it.
21. Also on June 5, 2015, after hearing about **JARRATT TURNER**, an HSI Intelligence Officer found images of "Adam" on Facebook on the account of one of **JARRATT TURNER**'s male Facebook friends (hereinafter "Male 1"). The child appeared to be sitting on the same couch with a spotted dog, as seen on the "Website A." A female friend of **JARRATT TURNER** (hereinafter "Female 2") who also is associated with Male 1 had photos on her Facebook page of "Adam." One image was an exact copy of an image that appears on "Website A" with the account associated with "nijasdad@inbox.com." **JARRATT TURNER** had commented on Female 2's Facebook page.
22. On June 5, 2015, I met with Female 1, who is the mother of "Nija." Female 1 viewed the images of "Nija" and identified "Nija" as her daughter. She also identified some of the images as having been filmed in **JARRATT TURNER**'s current apartment. Female 1 had been friends with **JARRATT TURNER** for a number of years.
23. On June 5, 2015, I met with Female 2, who is the mother of "Adam." Female 2 viewed the images of "Adam" and identified "Adam" as her son. She also identified some of the images as having been filmed in **JARRATT TURNER**'s current apartment. Female 2 had known **JARRATT TURNER** for about a year.


Jonathan Hendrix, Special Agent
U.S. Immigration and Customs Enforcement

Subscribed and sworn before me this 5th day of June, 2015.



Juliet Griffin
United States Magistrate Judge
Middle District of Tennessee

